

FILED

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RICHARD W. WIEKING
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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Robert Elias Ventura Plaintiff,
vs.
DARREL ADAMS (WARDEN)
Defendant.

CASE NO. _____

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

SBA

(PR)

I, Robert Elias Ventura, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: 0 Net: 0

Employer: N/A

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4 SMURFIT Stone CONTAINER 201 S. Hillview Dr Milpitas Cal.
 5 95035 Date MAY 25, 2004 \$ 1,600 Gross

6
 7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

- 9 a. Business, Profession or Yes ___ No X
 10 self employment
 11 b. Income from stocks, bonds, Yes ___ No X
 12 or royalties?
 13 c. Rent payments? Yes ___ No X
 14 d. Pensions, annuities, or Yes ___ No X
 15 life insurance payments?
 16 e. Federal or State welfare payments, Yes ___ No X
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 N/A
 22

23 3. Are you married? Yes ___ No X

24 Spouse's Full Name: N/A

25 Spouse's Place of Employment: N/A

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ 0 Net \$ 0

28 4. a. List amount you contribute to your spouse's support:\$ _____

b. List the persons other than your spouse who are dependent upon you for support and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

N/A

5. Do you own or are you buying a home? Yes ___ No X

Estimated Market Value: \$ 0 Amount of Mortgage: \$ ___

6. Do you own an automobile? Yes ___ No ___

Make N/A Year N/A Model ___

Is it financed? Yes ___ No ___ If so, Total due: \$ 0

Monthly Payment: \$ 0

7. Do you have a bank account? Yes ___ No X (Do not include account numbers.)

Name(s) and address(es) of bank: N/A

Present balance(s): \$ N/A

Do you own any cash? Yes ___ No X Amount: \$ 0

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes ___ No X

8. What are your monthly expenses?

Rent: \$ 0 Utilities: N/A

Food: \$ 0 Clothing: N/A

Charge Accounts:

| Name of Account | Monthly Payment | Total Owed on This Acct. |
|-----------------|-----------------|--------------------------|
| <u>N/A</u> | \$ <u>0</u> | \$ <u>0</u> |
| <u>1</u> | \$ <u>0</u> | \$ <u>0</u> |
| <u>1</u> | \$ <u>1</u> | \$ <u>1</u> |

9. Do you have any other debts? (List current obligations, indicating amounts and to whom they are payable. Do not include account numbers.)

CALIFORNIA Department OF Correction

10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? Yes No X

Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

I consent to prison officials withdrawing from my trust account and paying to the court the initial partial filing fee and all installment payments required by the court.

I declare under the penalty of perjury that the foregoing is true and correct and understand that a false statement herein may result in the dismissal of my claims.

4-18-2008

DATE

Robert Ventura

SIGNATURE OF APPLICANT

Case Number: CV 08 1708

CERTIFICATE OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Ventura for the last six months
Corcoran [prisoner name] where (s)he is confined.
[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ 0 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 0.

Dated: 4-15-08

[Signature]
[Authorized officer of the institution]

REPORT ID: TS3030 .701

REPORT DATE: 04/10/08

PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS
 CALIF. STATE PRISON CORCORAN
 INMATE TRUST ACCOUNTING SYSTEM
 INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: OCT. 10, 2007 THRU APR. 10, 2008

ACCOUNT NUMBER : V80485 BED/CELL NUMBER: 4A3L0000000041L
 ACCOUNT NAME : VENTURA, ROBERT ELIAS ACCOUNT TYPE: I
 PRIVILEGE GROUP: D

TRUST ACCOUNT ACTIVITY

TRAN

| DATE | CODE | DESCRIPTION | COMMENT | CHECK NUM | DEPOSITS | WITHDRAWALS | BALANCE |
|-------------------|------|-------------------|------------|-----------|----------|-------------|---------|
| 10/10/2007 | | BEGINNING BALANCE | | | | | 0.00 |
| ACTIVITY FOR 2008 | | | | | | | |
| 02/25 | DD30 | CASH DEPOSIT | 3077 18132 | | 9.00 | | 9.00 |
| 03/03 | W512 | LEGAL POSTAGE | 3161 02 25 | | | 2.32 | 6.68 |
| 03/11 | W502 | POSTAGE CHARG | 3339 FED-X | | | 4.60 | 2.08 |
| 03/20 | W512 | LEGAL POSTAGE | 3490 02 25 | | | 2.08 | 0.00 |

CURRENT HOLDS IN EFFECT

| DATE PLACED | HOLD CODE | DESCRIPTION | COMMENT | HOLD AMOUNT |
|----------------|--------------|--------------------|------------|-------------|
| 03/17/2008 | H109 | LEGAL POSTAGE HOLD | 3417 03 13 | 2.50 |
| 03/20/2008 | H109 | LEGAL POSTAGE HOLD | 3478 03 17 | 1.81 |
| 03/20/2008 | H118 | LEGAL COPIES HOLD | 3480 03 17 | 15.30 |
| 03/26/2008 | H109 | LEGAL POSTAGE HOLD | 3599 03 24 | 1.31 |
| 03/26/2008 | H118 | LEGAL COPIES HOLD | 3601 03 24 | 5.55 |
| 03/26/2008 | H118 | LEGAL COPIES HOLD | 3601 03 24 | 2.60 |

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 05/11/05 CASE NUMBER: CC455119
 COUNTY CODE: SCL FINE AMOUNT: \$ 4,000.00

| DATE | TRANS. | DESCRIPTION | TRANS. AMT. | BALANCE |
|------------|--------|-----------------------|-------------|----------|
| 10/10/2007 | | BEGINNING BALANCE | | 3,932.00 |
| 02/25/08 | DR30 | REST DED-CASH DEPOSIT | 10.00- | 3,922.00 |

REPORT ID: TS3030 .701

REPORT DATE: 04/10/08

PAGE NO: 2

CALIF. STATE PRISON CORCORAN
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: OCT. 10, 2007 THRU APR. 10, 2008

ACCT: V80485 ACCT NAME: VENTURA, ROBERT ELIAS ACCT TYPE: I

* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT *
* IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED. *

TRUST ACCOUNT SUMMARY

| BEGINNING BALANCE | TOTAL DEPOSITS | TOTAL WITHDRAWALS | CURRENT BALANCE | HOLDS BALANCE | TRANSACTIONS TO BE POSTED |
|---------------------------------|-------------------|----------------------|--------------------|------------------|------------------------------|
| 0.00 | 9.00 | 9.00 | 0.00 | 29.07 | 0.00 |
| CURRENT AVAILABLE BALANCE | | | | | |
| 29.07- | | | | | |

30

PROOF OF SERVICE BY MAIL**BY PERSON IN STATE CUSTODY**

(Fed. R. Civ. P. 5; 28 U.S.C. § 1746)

I, ROBERT ELIAS VENTURA V-80485, declare:I am over 18 years of age and a party to this action. I am a resident of CORCORAN State Prison,
in the county of CORCORANState of California. My prison address is: CSP SHU 4A-3L-41P.O. BOX 3476 CORCORAN CA 93212On April 18 2008
(DATE)I served the attached: Application to Proceed in Forma Pauperis

(DESCRIBE DOCUMENT)

on the parties herein by placing true and correct copies thereof, enclosed in a sealed envelope, with postage thereon fully paid, in the United States Mail in a deposit box so provided at the above-named correctional institution in which I am presently confined. The envelope was addressed as follows:

U.S. District Court
450 Golden Gate Ave
P.O. Box 36060
SAN FRANCISCO CA 94102-9680

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 4-8-2008
(DATE)Robert Ventura
(DECLARANT'S SIGNATURE)

016-125504155

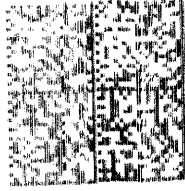
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04/21/2008

Mailed From 93212

US POSTAGE

Hasler



CORCORAN STATE PRISON

U.S. District Court
1500 Graham Court NW
90000-0000
U.S. District Court

